

I am a partner in an ISP that serves two regions, utilizing the infrastructure of both Bellsouth and Verizon. We rely on the open access to provide services to our customers, and the Forbearance that is in front of the FCC would literally send us packing. There is no reason for the Bells to seek forbearance, aside from eliminating competition, and stifling the growth of VoIP.

In the forbearance document, Bellsouth states:

According to a Commission report issued just this June, more than 63 percent of residential and small-business customers receiving 200 kbps in one direction subscribe to cable modem, as opposed to just 34 percent that rely on wireline DSL. Of customers that receive more than 200kbps in both directions, 85 percent use cable modem, while only 13 percent use wireline DSL. This statement is purposefully misleading. It includes small business and residential statistics. Our studies have shown that very little of the downtown Tampa district is served by cable. If Forbearance is granted, virtually all businesses in downtown will have to rely on service from Verizon. One of our most popular speeds of service is 1500Kbps downstream, and 128Kbps upstream. The 128Kbps upstream is more than sufficient for most small to medium sized businesses, but this is purposefully not included in these figures to make the numbers more favorable for Bellsouth.

We provide a host of services that the ILECS and Cable Co's cannot, or will not provide. All of our customers that receive these services would be impacted with the approval of Forbearance. Here is a list of just a few of these unique services:

- 1) Web-hosting and email. We provide our customers with a range of these services. Some customers require 200+ emails, and we can provide these over our servers, or the customer can run their own mail server. Some customers have multiple websites pointing to the same location. Other customers provide their own email server, while we provide the web-hosting. The ILECS and cable co's do not offer this type of flexibility.
- 2) Private network access to a remote server. We co-locate servers at our facility, and provide a point to point circuit back to our customer's location(s). Neither the server, or the client site(s) have access to the internet. This provides them with a secure network to share resources between multiple sites.
- 3) 'Bonding' of T1 and/or DSL circuits. We provide true redundancy for our clients. We have the ability to bridge multiple connections to a) increase bandwidth to the customer, and b) provide an automatic failover circuit in the event that one of the circuits fails. This was a major positive for our customers that had partial outages after the hurricanes when Bellsouth had repairs running up to 45 days.
- 4) We provide security firms, CLECS and VoIP Providers direct, private access from their facilities to their end users. We connect them to our network with T1 or Fiber links, and map customers directly to their equipment. This allows these companies to sell dedicated, private services with SLAs to their end users. Cable companies will not allow anyone access, and to get this type of service from an ILEC requires that the end user be an ISP.
- 5) Hotspots. We provide hotspots to restaurants, car dealerships, and hotels. They in turn give services to their customers, or charge them on a daily/weekly basis. This type of service would be much more costly if we did not have level 2 access to the ATM/DSL infrastructure.

6) VoIP services. We currently have an agreement with a VoIP CLEC to provide voice services to our customers. We are able to provide the customer with one bill for voice/data/LD, and a managed voice service that we monitor. In the event of an outage, we have the ability to route our customer's calls anywhere in the world. During the hurricane outages this was an enormous benefit to customers that were without power for a week or more. This type of solution is certainly not offered by the ILEC.

7) Co-Location. Some of our larger clients place their servers at our facility. This allows them to have an off-site backup of critical data, and have the server on the same network as their local servers. This allows customers true network reliability. In the event of an outage at their facility, they can simply send their folks home, and they will have access from anywhere there is broadband.

8) Backup services. We provide a daily backup service to our clients. Critical data is encrypted, and sent to one of our secure servers at the end of each business day. In the event of a catastrophic event, we can have them back in business in a few hours.

9) Emergency services. We offer our clients the ability to move their critical equipment to our facility when there is the threat of a hurricane. We can re-map their IP addresses. This allows them uninterrupted service in the event that their facility is under water.

10) Spam and virus protection. We provide our customers with managed services, if they have an email address from us, or if they have their own email servers. Before noon today we had received over 34,000 email messages, and blocked 26,416 spam and virus messages. This saves our customers enormous amounts of money and resources. The ILECS and cable co's do not have the expertise to manage this properly.

11) VPN services. We configure VPNs for our customers that need to connect multiple offices/homes securely.

12) Remote management. We provide remote management services for our clients. We have the ability to provide a full IT service to our clients without having to be on location.

13) VoIP providers. We provide 3 different VoIP providers with direct access to their clients. There is no other way for these companies to reach customers and provide a cost efficient service. Forbearance would essentially eliminate VoIP, aside from the Cable Co and ILEC offerings, which would disappear without competition.

14) Diverse internet access. We purchase our bandwidth from multiple Tier 1 providers. Any incoming or outgoing customer data has multiple routes into and out of our facilities. Most ILECS and cable co's only have one provider, and if that provider is having issues, the end user is out of service. This is a major consideration for Hospitals and Financial Institutes.

All of the reasons the bells are giving for forbearance can be refuted. They simply do not want to share the infrastructure that was built by taxpayers'

monies. This will reduce competition, which will ultimately hurt the consumers with prices going up.

Thank you,

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